

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JANE ROE,

Plaintiff,

v.

THE PENNSYLVANIA STATE UNIVERSITY
and JOHN DOE,

Defendants.

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CIVIL ACTION

No. 18-2142

ORDER

AND NOW, this 15th day of February, 2019, upon consideration of Defendant The Pennsylvania State University's ("Penn State") Motion to Dismiss for Failure to State a Claim, Defendant John Doe's ("Doe") Motion to Dismiss for Lack of Jurisdiction, Plaintiff Jane Roe's Responses in Opposition, and Penn State's Reply Brief, it is hereby **ORDERED** that Penn State's Motion (Doc. No. 19) and Doe's Motion (Doc. No. 16) are **GRANTED. IT IS FURTHER ORDERED** that:

1. Counts IV and V of the Amended Complaint are **DISMISSED WITH PREJUDICE**;
2. Counts VIII and IX are **DISMISSED WITHOUT PREJUDICE**; and
3. Doe is **DISMISSED** from the action **WITHOUT PREJUDICE**.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE